IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

FRIDAY, THE ELEVENTH DAY OF FEBRUARY
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE K.C. BHANU

WRIT PETITION NO : 2127 of 2005

Between:

1. Mylapalli Nageswara Rao, S/o. Veeraswamy,
   Narsipeta Village, Thondangi Mandal, E.G.District.
2. Chokka Appala Raju, S/o. Bagarthi,
   R/o Danavaipeta, Thondangi Mandal, E.G.District.
3. Marada Satyanarayana, S/o. Appa Rao,
   R/o. Danavaipeta, Thondangi Mandal, E.G.District.
4. Yejjala Arjani, S/o. Masenu,
   R/o. Danavaipeta, Thondangi Mandal, E.G.District.
5. Peeradhi Satish, S/o. Satyanarayana,
   R/o. Narsipeta, Thondangi Mandal, E.G.District.
6. Chokka Bhaskar Rao, S/o. Kasaiah,
   R/o. Narsipeta, Thondangi Mandal, E.G.District.

..... PETITIONERS

AND

1. The Commissioner of Fisheries, Department of Fisheries,

Mastha Bhavan, Shanthi Nagar Colony, Hyderabad.
2. The Deputy Director of Fisheries, Kakinada, East Godavari District.
3. The Assistant Director of Fisheries, Kakinada, East Godavari District.
4. The Fisheries Development Officer and Authorized Officer, Tuni, East

Godavari District.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to Issue a writ, order or direction more particularly one in the nature of *Writ of Mandamus* declaring the action of the respondents in allowing the fishermen to do the fishing operation with ring vala half inch or below half inch mesh size as bad arbitrary, contrary to AP marine Fishing (Regulation) Act 1994 and also offends under Art. 14, 19 and 21 of the Constitution of India.

Counsel for the Petitioner: MS.M.VIDYAVATHI

Counsel for the Respondents: GP FOR FISHERIES

The Court made the following:

ORDER:

For declaring the action of the respondents in allowing the fishermen to do the fishing operation with ring vala half inch or below half inch mesh size, as illegal and arbitrary, the present writ petition is filed.

Heard the learned counsel for the petitioner and the learned Government Pleader for Fisheries.

As seen from the proceedings of the Fisheries Development Officer, dated 02.06.2004, it is for the third respondent to take appropriate decision to prohibit the Ringuvala operation by issuing necessary notification as per the provisions of A.P. Marine Fishing Regulation Act.

In that view of the matter, I deem it appropriate to dispose of the writ petition with a direction to the third respondent to take appropriate action in respect of the prohibition of the Ringuvala operation in accordance with rules, within a period of two weeks from the date of receipt of a copy of this order.

With the above direction, the writ petition is disposed of. No costs.

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(K.C. BHANU, J)

Date: 11.02.2005

Note: Issue C.C. by today.

B.O.

Ksn

ASSISTANT REGISTRAR

// TRUE COPY //

SECTION OFFICER

To

1. The Commissioner of Fisheries, Department of Fisheries,

Mastha Bhavan, Shanthi Nagar Colony, Hyderabad.
2. The Deputy Director of Fisheries, Kakinada, East Godavari District.
3. The Assistant Director of Fisheries, Kakinada, East Godavari District.
4. The Fisheries Development Officer and Authorized Officer, Tuni, East

Godavari District.

5. Two C. Cs to G.P. for Fisheries, High Court Buildings, Hyderabad (OUT).

6. 2 CD copies

*Form-NIC-OGS/WP{**JGK**}*